

AMENDMENTS TO THE DRAWINGS

The Examiner has required the replacement drawing sheets to be so labeled.

Applicants submit herewith replacement drawing sheets, and submit that the replacement drawing sheets overcome the Examiner's rejections.

REMARKS

This Amendment and Request for Reconsideration is submitted in response to an outstanding Office Action (Final Rejection) dated July 27, 2005, the shortened statutory period for response set to expire on October 27, 2005. Accordingly, no extension of time or fee are believed due. In the event that the Commissioner determines that an extension of time is required, the undersigned hereby petitions for such extension of time, and authorizes the Commissioner to charge the Milbank deposit account 13-3250 for any required fee .

I. Status of the Claims

Please cancel claims 13-21 without prejudice and amend claims 1, and 9-12 as indicated above. Claims 1-12 are now pending in the application. Claims 1, 9, 10, 11, and 12 are independent claims.

Applicants acknowledge the Examiner's citation of statutory authority as a basis for claim rejections.

II. Objections to the Drawings

The Examiner has required the corrected drawings to be labeled as replacement sheets. Applicants submit herewith replacement drawing sheets so labeled, and ask the Examiner to withdraw the objections and rejections.

III. Rejections under 35 U.S.C. § 103

Claims 1, and 3-8

The Examiner has rejected claims 1, and 3-8 under 35 U.S.C. § 103(a) as being unpatentable over Steinman et al. ("Object Technology's ENVY/Developer"). Applicant had argued in the previous response that "Steinman discloses detecting conflicts in a single repository, and there is no suggestion to detect conflicts between at least two repositories ... a

mere suggestion of multiple repositories as proposed by the Examiner is not sufficient to disclose or suggest “identifying omissions or conflicts between the approved functional development packages.” In response, The Examiner states that the claim does not recite detecting “conflicts between at least two repositories,” and that “the claim broadly recites ‘identifying omissions or conflicts between the functional development packages’ without further reciting as to which packages they are referring. Therefore the conflicts can be between the packages in a single repository according to the claim language used.”

Applicants have amended claim 1 to more clearly recite: identifying omissions or conflicts between the approved functional development packages in the at least two software code repositories; [and] resolving the omissions or conflicts between the functional development packages in the at least two software code repositories. As discussed with the Examiner in a telephone interview on August 31, applicants submit that Steinman does not teach or suggest these features and that the Examiner’s bases for rejection of claim 1 over Steinman is overcome. Accordingly, Applicants ask that the rejection be withdrawn. Similarly, Applicants submit that the bases for rejections of claims 2-8, which depend from claim 1 are overcome and ask that the rejections be withdrawn.

Claims 9, 10 and 11

The Examiner has rejected claims 9, 10 and 11 under 35 U.S.C. § 103(a) as being unpatentable over Steinman and further in view of Chiles et al (U.S.P. No. 6,748,582).

Claims 9-11 have limitations that are similar to claim 1 and the claims have been amended to generally correspond to claim 1. Therefore, Applicants submit that the rejection of those claims is also overcome and ask the Examiner to withdraw the rejection.

Claim 12

The Examiner has rejected claim 12 under 35 U.S.C. § 103(a) as being unpatentable over Steinman and further in view of Banick et al (“Web Management with Microsoft visual SourceSafe 5.0”).

The Examiner acknowledges that Steinman does not disclose “initiating concurrent software code development in at least two software code repositories at physically distinct locations, or the identification of omissions.” The Examiner relies on the Postscript of Steinman at page 13 to disclose multi-repository support, and relies on Banick to disclose identification of omissions.

Applicants first note that as amended, claim 12 states “identifying projects for a SMALLTALK software development cycle; initiating concurrent SMALLTALK software code development with ENVY/DEVELOPER of functional development packages in at least two software code repositories, the code repositories at physically distinct locations; submitting the functional development packages for manager approval within the respective software code repository; automatically submitting the functional development packages for code owner approval; automatically identifying omissions and conflicts between the functional development packages in the at least two software code repositories, the code repositories at physically distinct locations; resolving the omissions or conflicts between the functional development packages in the at least two software code repositories, the code repositories at physically distinct locations; regression testing the functional development packages; approving the functional development packages; and releasing the functional development packages.”

For reasons that are substantially the same as discussed above with respect to claim 1, applicants submit that Steinman does not teach or suggest these features of claim 12, and that the Examiner’s bases for rejection of claim 12 over Steinman is overcome.

IV. Rejections under 35 U.S.C. § 102

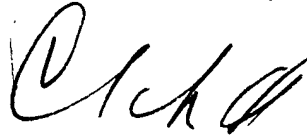
The Examiner has rejected claims 13, and 15-21 under 35 U.S.C. § 102 as being anticipated by Steinman et al.

Applicants have cancelled claims 13-21 without prejudice and ask that the Examiner withdraw the rejection.

V. Request for Reconsideration

Applicants respectfully submit that the claims of this application are in condition for allowance. Accordingly, reconsideration of the rejection and allowance is requested. If a conference would assist in placing this application in better condition for allowance, the undersigned would appreciate a telephone call at the number indicated.

Respectfully submitted,
Milbank, Tweed, Hadley & McCloy LLP



Chris L. Holm
Reg. No.: 39,227

September 6, 2005

Milbank Tweed Hadley & McCloy LLP
1 Chase Manhattan Plaza
New York, NY 10005
(212) 530-5000 / (212) 530-5219 (facsimile)